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EXAMINER

CARTER, TIA A

ART UNIT

PAPER NUMBER

2622

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/448,885

Applicant(s)

BABA, KEIZOU

Examiner

Tia A Carter

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoh (US. 5936743) in view of Fukushima et al. (US. 5812279).

Regarding claim [1], Satoh disclose a facsimile monitoring system comprising:

A facsimile having an interface, which can be connected with a personal computer (fig. 2, col. 3, lines 51-53); and

Satoh **discloses** a personal computer connected with the facsimile (Fig. 2, col. 3, lines 51-53) and Satoh **does not disclose** including monitoring software for monitoring a state of memory transmission file of said facsimile.

Fukushima et al. disclose facsimile including monitoring software for monitoring a state of memory transmission file of said facsimile (Figs., 8A-8D, col. 7, lines 29-41).

Satoh does not disclose wherein, when a memory transmission by the facsimile is completed, a message of a completion thereof is displayed on a displaying panel of said personal computer immediately thereafter.

Fukushima et al disclose wherein, when a memory transmission by the facsimile is completed, a message of a completion thereof is displayed on a displaying panel of said personal computer immediately thereafter (Fig. 5; Fig. 9B, col. 9, lines 45-61).

It would have been obvious to one skilled in the art at the time of the invention to modify Satoh wherein the facsimile control system would include some form of facsimile performance notification via display memory history or the like.

Therefore it would have been obvious to one skilled in the art at the time of the invention to combine Fukushima et al with Satoh to achieve the limitations set forth in claim 1.

Regarding claim [2], Satoh disclose a facsimile monitoring system comprising:

A facsimile having an interface, which can be connected with a personal computer (fig. 2, col. 3, lines 51-53); and

Satoh **discloses** a personal computer connected with the facsimile (Fig. 2, col. 3, lines 51-53) and Satoh **does not disclose** including monitoring software for monitoring a state of memory transmission file of said facsimile.

Fukushima et al. disclose facsimile including monitoring software for monitoring a state of memory transmission file of said facsimile (Figs., 8A-8D, col. 7, lines 29-41).

Satoh does not disclose wherein, when there exist a communication error by the facsimile a message of an alarm is displayed on a displaying panel of said personal computer immediately thereafter.

Fukushima et al disclose wherein, when there exist a communication error by the facsimile a message of an alarm is displayed on a displaying panel of said personal computer immediately thereafter (Fig. 5; Fig. 9A, col. 8, lines 66-67; col. 9, lines 1-12).

It would have been obvious to one skilled in the art at the time of the invention to modify Satoh wherein the facsimile control system would include some form of facsimile performance notification via display and / or memory history or the like.

Therefore it would have been obvious to one skilled in the art at the time of the invention to combine Fukushima et al with Satoh to achieve the limitations set forth in Claim 2.

2. Claim 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoh and Fukushima et al. in view of Fujino (US. 6476935)

Regarding claim [3], Satoh disclose a facsimile monitoring system comprising:

A facsimile having an interface, which can be connected with a personal computer (fig. 2, col. 3, lines 51-53); and

Satoh **discloses** a personal computer connected with the facsimile (Fig. 2, col. 3, lines 51-53) and Satoh **does not disclose** including monitoring software for monitoring a state of memory transmission file of said facsimile.

Fukushima et al. disclose facsimile including monitoring software for monitoring a state of memory transmission file of said facsimile (Figs, 8A-8D, col. 7, lines 29-41).

Satoh does not disclose wherein, when there exist a file in said facsimile device indicating a communication error, said file of communication error can be deleted using said personal computer.

Fujino discloses wherein, when there exist a file in said facsimile device indicating a communication error, said file of communication error can be deleted using said personal computer (Fig. 5, col. 10, lines 48-62).

It would have been obvious to one skilled in the art at the time of the invention to modify Satoh and Fukushima et al. wherein the facsimile control system would include some form of facsimile performance notification via display and /or memory history or the like.

Therefore it would have been obvious to one skilled in the art at the time of the invention to combine Fujino with Fukushima et al and Satoh to achieve the limitations set forth in claim 3.

Regarding claim [4], Satoh disclose a facsimile monitoring system comprising:

A facsimile having an interface, which can be connected with a personal computer (fig. 2, col. 3, lines 51-53); and

Satoh **discloses** a personal computer connected with the facsimile (Fig. 2, col. 3, lines 51-53) and Satoh **does not disclose** including monitoring software for monitoring a state of memory transmission file of said facsimile.

Fukushima et al. disclose facsimile including monitoring software for monitoring a state of memory transmission file of said facsimile (Figs, 8A-8D, col. 7, lines 29-41).

Satoh does not disclose wherein, when there exist a file in said facsimile device indicating a communication error, an address of said communication error file and a transmission property thereof can be changed from said personal computer said file of communication error can be deleted using said personal computer.

Fujino discloses wherein, when there exist a file in said facsimile device indicating a communication error, an address of said communication error file and a transmission property thereof can be changed from said personal computer said file of communication error can be deleted using said personal computer (Fig. 5, col. 10, lines 24-67).

It would have been obvious to one skilled in the art at the time of the invention to modify Satoh and Fukushima et al. wherein the facsimile control system would include some form of facsimile performance notification via display and /or memory history or the like.

Therefore it would have been obvious to one skilled in the art at the time of the invention to combine Fujino with Fukushima et al and Satoh to achieve the limitations set forth in claim 4.

Regarding claim [5], Satoh disclose a facsimile monitoring system comprising:

A facsimile having an interface, which can be connected with a personal computer (fig. 2, col. 3, lines 51-53); and

Satoh **discloses** a personal computer connected with the facsimile (Fig. 2, col. 3, lines 51-53) and Satoh **does not disclose** including monitoring software for monitoring a state of memory transmission file of said facsimile.

Fukushima et al. disclose facsimile including monitoring software for monitoring a state of memory transmission file of said facsimile (Figs, 8A-8D, col. 7, lines 29-41).

Satoh does not discloses wherein, when there exist a file in said facsimile device indicating a communication error, at least one of an address of said communication error file and a transmission property thereof can be changed from said personal computer.

Fujino discloses wherein, when there exist a file in said facsimile device indicating a communication error, at least one of an address of said communication error file and a transmission property thereof can be changed from said personal computer (Fig. 5, col. 10, lines 24-67).

I t would have been obvious to one skilled in the art at the time of the invention to modify Satoh and Fukushima et al. wherein the facsimile control system would include some form of facsimile performance notification via display and /or memory history or the like.

Therefore it would have been obvious to one skilled in the art at the time of the invention to combine Fujino with Fukushima et al and Satoh to achieve the limitations set forth in claim 5.



***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 6-7 are rejected under 35 U.S.C. 102e as being anticipated by Fukushima et al. (US. 5812279).

Regarding claim [6], Fukushima et al disclose a method of monitoring a facsimile device comprising the steps of:

Monitoring a state of a memory transmission of said facsimile (fig. 5, col. 7, lines 29-41).

Displaying a message of completion of the memory transmission on a displaying panel fro a personal computer, immediately after the memory transmission is completed (Fig. 5, Fig. 9, col. 9, lines 45-61).

Regarding claim [7], Fukushima et al disclose a method of monitoring a facsimile device comprising the steps of:

Monitoring a state of a memory transmission file of said facsimile (fig. 5, col. 7, lines 29-41).

Displaying an error message indicating a communication error in the memory transmission on a displaying panel a personal computer, immediately after the communication error occurs (Fig. 5; fig. 9A, col. 8, lines 66-67; col.9, lines 1-12).

5. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukushima et al. (US. 5812279) in view of Fujino (US. 6476935).

Regarding claim [8], Fukushima et al disclose a method of monitoring a facsimile device comprising the steps of:

Monitoring a state of a memory transmission file of said facsimile (fig. 5, col. 7, lines 29-41).

Fukushima et al. **do not disclose** deleting a file indicating a communication error in said facsimile device from a personal computer, when there exists a file indicating the communication error

Fujino **discloses** deleting a file indicating a communication error in said facsimile device from a personal computer, when there exists a file indicating the communication error ( Fig. 17, col. 10, lines 48-67).

It would have been obvious to one skilled in the art at the time of the invention to modify Fukushima et al. wherein once the displayed message is disclosed the image file would be deleted to save memory space.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Fukushima et al. with Fujino to achieve the limitations set for in claim 8.

Regarding claim [9], Fukushima et al disclose a method of monitoring a facsimile device comprising the steps of:

Monitoring a state of a memory transmission of said facsimile (fig. 5, col. 7, lines 29-41).; and

Fukushima do not disclose changing an address in a communication error file and transmission property thereof from a personal computer, when there exists the communication error file.

Fujino discloses changing an address in a communication error file and transmission property thereof from a personal computer, when there exists the communication error file (fig. 10, col. 8, lines 18-67; col.9, lines 1-45).

It would have been obvious to one skilled in the art at the time of the invention to modify Fukushima et al. wherein multiple destination are set as an option when there is an error in the initial communication attempt.

Art Unit: 2622

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Fukushima et al. with Fujino to achieve the limitations set for in claim 9.

Regarding claim [10], Fukushima et al disclose a method of monitoring a facsimile device comprising the steps of:

Monitoring a state of a memory transmission of said facsimile (fig. 5, col. 7, lines 29-41).; and

Fukushima et al. do not disclose changing an address in a communication error file and transmission property thereof from a personal computer, when there exists the communication error file.

Fujino discloses changing an address in a communication error file and transmission property thereof from a personal computer, when there exists the communication error file (fig. 10, col. 8, lines 18-67; col.9, lines 1-45).

It would have been obvious to one skilled in the art at the time of the invention to modify Fukushima et al. wherein multiple destination are set as an option when there is an error in the initial communication attempt.

Therefore, it would have been obvious to one skilled in the art at the time of the invention to combine Fukushima et al. with Fujino to achieve the limitations set for in claim 10.

6. Claim 11 is rejected under 35 U.S.C. 102(e) as being anticipated by Satoh (US. 5936743).

Regarding claim [11], Satoh disclose a facsimile device monitoring system for monitoring a communication result of a facsimile device from an external terminal (fig. 2, col. 3, lines 47-65), comprising:

A facsimile device provided with a result sending –out medium sending out a communication result to an external terminal (Fig. 5, col. 7, lines 35-41; Fig. 9, col. 8, lines 37-62)

An external terminal provided with a display medium displaying and outputting the communication result sent from said facsimile device (fig. 7, col. 8, lines 5-36), and

A result-monitoring medium executing an operation of sending out a result of the communication performed by said facsimile device to said external terminal periodically or per each communication (fig. 4, col. 6, lines 45-59; col. 7, lines 60-64).

### ***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 13 recites the limitation “a file treatment medium” in lines 5-6 on page 29. There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 2622

9. Claim 14 recites the limitation "a file treatment medium" on page 29. There is insufficient antecedent basis for this limitation in the claim.

10. Claim 15 recites the limitation "a file treatment medium" on page 29. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 16 recites the limitation "a file treatment medium" on page 29. There is insufficient antecedent basis for this limitation in the claim.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fukushima et al. (US. 5311327), Mori (US. 6147775), Kumagai et al (US. 6313926), Morisaki (US. 5778162), Gusmano (US. 5970222), Kato et al. (US> 5898824), Yokota et al. (US> 5598533) and Jawahar et al. (US> 6151357) are cited to show related art with respect to facsimile apparatus capable monitoring facsimile performances while displaying the output onto a panel of the external device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (9:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-305-4712. The fax phone numbers


Art Unit: 2622

for the organization where this application or proceeding is assigned are 703-746-6036 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-6056.

Tia A Carter  
Examiner  
Art Unit 2622

TAC  
December 16, 2002

  
EDWARD COLES  
SUPERVISORY PATENT EXAMINER  
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